REMARKS/ARGUMENTS

Applicants thank Supervisory Examiner Jiang and Examiner McIntosh for the courtesy of the interview on November 8, 2006.

The Examiner has objected to the specification because of the informalities of the first paragraph. (Page 2, lines 2-12) The first paragraph has been amended to more clearly claim priority of the parent application and the provisional applications. In addition, the title has been changed to more accurately reflect the pending claims, which do not now include composition claims.

The Examiner has indicated that he would consider the present application a continuation-in-part with a priority date of October 23, 2003, rather than a continuation application because the term "consisting of" is deemed new matter. The term "consisiting of" was originally entered because of a previous examiner's objection to the open term "comprising." Applicants' attorney pointed out that the specification on page 7, line 12 and Example 1 teach a dosage of ribose as the only component, which would commonly be interpreted as "consisting of." Applicants' attorney now believes that this application is considered to be a continuation application.

Claim 1 has been amended to recite a narrowed dose of two to eight grams of ribose. While the earlier claimed range is accurate as to efficacy, the former upper limit, ten grams, is not conducive to the patient compliance needed for chronic administration for many patients. See affidavit of John C. St. Cyr, attached.

Claims 4 and 5 have been canceled. In the years since this application was first filed, composition claims which would render claims 4 and 5 unpatentable have been allowed in other co-owned applications.

Claim 6 has been amended to more clearly identify the subjects who will benefit from the method and to note the need for chronic administration.

The Examiner has rejected claims 1-3 and 6 on the ground of obviousness type double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 6,218,366. Applicants respectfully disagree. The claims now pending recite low oral doses of ribose given chronically. The patients of the '366 patent were given higher doses of ribose intravenously, with 100% bioavailability for a period of four hours, during which time they were subjected to hypoxia. The surprising and novel element of this invention, as claimed, is that low (2-8 grams one to four times a day) are sufficient to improve the condition of those patients with reduced cardiovascular function. It is the lowness of the dose that permits continued administration (specification, page